REMARKS

Claims 1-15, 24-36, 45 and 46 are presented for examination.

1. Specification

The Examiner has stated that "the statuses of the parent applications [Specification, page 1] need to be included and updated."

Applicant has amended the specification to include the statuses of the parent applications.

2. Double Patenting

The Examiner has rejected Claims 1, 24 and 45 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the Claims 1-4 of U.S. Patent No. 6,356,936 and Claims 1-3 of U.S. Patent No. 6,604,130.

Applicant has attached an appropriate Terminal Disclaimer in compliance with 37 CFR 1.321(c) to overcome this rejection.

3. 35 U.S.C. § 103. Rejections

Claims 1-15, 24-36, 45, and 46 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ferguson, U.S. Patent No. 5,649,186, in view of O'Neil *et al,* (hereinafter O'Neil) U.S. Patent No. 5,987,440.

In regards to Claim 1, in the Office Action it is stated that "Ferguson discloses

[I]n a system including an advice consumer for gathering broadcast information from a communications medium and a reader associated with said advice consumer for determining relevance of said broadcast information, a communications system comprising:

an advice provider which broadcasts information over a communications medium to target situations based on an arbitrary combination of computationally verifiable conditions of an advice consumer computer and its environment; [Ferguson, col. 3, lines 39-60, col. 5, lines 1-14 and col. 5, line 46 to col. 6, line 35];

wherein said advice consumer is advised of said information only if said information meets certain predetermined relevance criteria; [Ferguson, col. 5, lines 1-14 and col. 5, line 46 to col. 6, line 35].

The Examiner admits that Ferguson does not specifically disclose "the advice provider offers highly targeted advice without compromising individual privacy and the environment includes data of a sensitive or private nature."

However, the Examiner states that "O'Neil, in the same field of endeavor, discloses "a provider that offers highly targeted advice without compromising individual privacy, and the environment includes data of a sensitive or private nature [O'Neil, col. 2, lines 1-63, col. 5, line 26-col. 6, line 64, col. 39, line 39-col. 40, line 37; col. 40, line 59-col. 41, line 6].

Applicant respectfully disagrees.

Ferguson teaches a system which builds a database of user profiles by having users fill out survey forms and submit them to a central site. It allows the central site to distribute customized documents, such as a customized newspaper, based on the concerns and interests of the user, as known through the user profile (Col. 1, lines 51-67).

Claim 1 of the subject invention includes **an advice provider which broadcasts information over a communications medium**. The Examiner asserts that Ferguson teaches that an advice provider which broadcasts to an advice consumer is disclosed by the news/information feeds discussion. The Applicant respectfully disagrees. In Ferguson, a centralized site determines the relevance of information using data provided by a user to create customized documents for each user, whereas the advice provider disclosed in Claim 1 broadcasts information to a group of advice consumers. The information disclosed in Claim 1 is not customized and targeted directly to a user as in Ferguson but rather, the information is broadcasted such that each advice consumer receives the same information.

The Examiner also asserts that the broadcast information as disclosed in Claim 1, which **target[s] situations based on an arbitrary combination of computationally verifiable conditions of an advice consumer computer and its environment** is disclosed in Ferguson. The Applicant respectfully disagrees. The information clipping service of Ferguson takes information provided by a user to create a template which is then

used to create customized documents relevant to the user at a centralized site controlled by the information clipping service (Summary and FIG. 1). This information once provided by the user, is used to create a customized newspaper (Col. 3, lines 30-34). In contrast, the advice broadcasted to the advice consumer disclosed in Claim 1 targets conditions of an advice consumer's computer and its environment, and not a central site's computer as disclosed in Ferguson.

The Examiner also asserts that Ferguson teaches **a reader associated said advice consumer for determining relevance of said broadcast information.** The Applicant respectfully disagrees. The parse document operation of Ferguson which creates a customized documents/newspaper is part of a central document preparation system. In contrast, the reader as disclosed in Claim 1 which performs the function of determining the relevance of broadcasts, is associated with the advice consumer computer, and is not associated with a central site.

The Examiner also asserts that Ferguson teaches an **advice consumer [that] is advised of the information only if the information meets certain predetermined relevance criteria**. The Applicants respectfully disagrees. Ferguson teaches the creation of customized documents at a central site based upon a previously established, user provided profile. In contrast, Claim 1 discloses a relevance determination by the reader associated with the advice consumer. The reader is determining relevance of information already broadcast to the advice consumer, whereas Ferguson performs a determination at a central site before information is sent to a user.

Regarding O'Neil, O'Neil describes a personal information security and exchange tool, as taught in the Abstract cited below:

> "Utilization of the E-Metro Community and Personal Information Agents assure an effective and comprehensive agent-rule based command and control of informational assets in a networked computer environment. The concerns of informational privacy and informational self-determination are addressed squarely by the invention affording persons and entities a trusted means to author, secure, search, process, and exchange personal and/or confidential information in a networked computer environment. The formation of trusted electronic communities wherein members command and control their digital persona, exchanging or brokering for value the

trusted utility of their informational assets is made possible by the invention. The present invention provides for the trusted utilization of personal data in electronic markets, providing both communities and individuals aggregate and individual rule-based control of the processing of their personal data."

O'Neil teaches three types of methods for the protection of data. One method teaches public-key cryptography for the secure transfer of information. In this method, a sender/client encrypts a file during the transmission process and sends it to a receiver/electronic personal information agent (E-PIA) which operates a centralized website. The encrypted file remains securely stored on the E-PIA s computer and can only be deciphered using the E-PIA 's private decryption key (Col. 6, lines 24-32, and Col. 9, lines 8-26). A second method taught by O'Neil is a user-controlled set of rules that defines what personal information concerning the user may be accessible at an E-PIA's website. The user defines the set of rules, and the rules are implemented at the E-PIA 's website (Col. 6, lines 32-52). A third method disclosed for the protection of data involves the use of a digital signature that assures the receiver/ E-PIA that the message is actually sent by the sender/client (Col. 9, lines 27-55).

In contrast to O'Neil, the Claim 1 reviews **an advice provider that offers highly targeted advice without compromising individual privacy, and the environment includes data of a sensitive or private nature**, where the environment is that of the advice consumer's computer. None of the methods taught by O'Neil relate to the privacy of the advice consumer's computer, but rather, O'Neil teaches methods for the protection of data transmissions to an E-PIA, and for the protection of files stored on the E-PIA 's computer.

Therefore, neither Ferguson nor O'Neil or the combination of both, teach what is disclosed in independent Claim 1.

Applicant submits that independent Claim 1 overcomes the rejections under 35 U.S.C. §103(a) as being unpatentable over Ferguson, U.S. Patent No. 5,649,186, in view of O'Neil et al, U.S. Patent No. 5,987,440. Because Claims 2-15 depend from independent Claim 1, and inherently contain all the limitations of the claims they depend from, Claims 2-15 are patentable as well. Independent Claims 24 and 45 have similar limitations as Claim 1 and thus are patentable as well. Dependent Claims 25-36 and 46 depend on independent Claims 24 and 45, respectively, and thus are also patentable.

CONCLUSION

Applicant therefore respectfully submits that Claims 1-15, 24-36, 45 and 46 overcome the rejections set forth in the Office Action. Based on the foregoing, Applicant considers the invention to be in condition for allowance. Applicant earnestly solicits the Examiner's withdrawal of the rejections set forth in the prior Office Action, such that a Notice of Allowance is forwarded to Applicant, and the present application is therefore allowed to issue as a United States patent.

Respectfully Submitted,

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